

**MINUTES  
BOARD OF ADJUSTMENT  
CITY OF DELRAY BEACH**

**MEETING DATE:** March 4, 2021

**MEETING PLACE:** **Virtual Meeting**

**1. CALL**

The meeting was called to order by Garland Williams (Chairman) at 5:01 p.m.

**2. ROLL**

A quorum was present.

**Members present:** Garland Williams (Chairman), Robert Cohen (Vice Chairman), Alexander Candia, and Vlad Dumitrescu.

**Member absent:** Michael O'Connor (2<sup>nd</sup> Vice Chairman)

**3. APPROVAL OF AGENDA**

**Motion** to approve the Agenda of March 4, 2021, was made by Robert Cohen and seconded by Alexander Candia.

**ALL IN FAVOR**

**4. MINUTES**

**Motion** to approve the minutes of February 4, 2021 was made by Robert Cohen, seconded by Alexander Candia.

**ALL IN FAVOR**

**5. COMMENTS FROM THE PUBLIC**

NOTE: Comments on items that are NOT on the Agenda will be taken immediately prior to Public Hearing Items. Speakers will be limited to 3 minutes.

None

**SWEARING IN OF THE PUBLIC**

On behalf of Garland Williams, Chairman, Robert Cohen, Vice Chairman, read the Quasi-Judicial Rules for the City of Delray Beach and because it was a virtual meeting, the public was previously sworn in by Diane Miller when they called in to leave their comments via voicemail to give testimony.

**6. QUASI-JUDICIAL ITEMS**

**A. File Number (2021-097) 115 NE 16<sup>th</sup> Court:** Consideration of a variance request from Land Development regulation (LDR) Section 4.3.4(K), to reduce the front setback by five feet and establish a 2-foot front setback, whereas 30 feet are required.

**Exparte**

None

Brian Ruscher, Transportation Planner entered the file into the record.

**Applicant Presentation**

Ron Brito, Enterprise Contractors, 2559 Webb Ave., Suite #2, Delray Beach, FL  
Kenneth Ballew, architect, 2976 Norway Pine Lane, Lantana, FL  
Charlie & Dari Dee, owners

**Staff Presentation**

Brian Ruscher, Transportation Planner presented the project and made the following clarifications for the record:

- In the Staff Report, finding C noted that it would be better finding the request is consistent for a motion of denial. Please use the text reflected on the screen.
- Also in the Staff Report, notifications were provided on February 20 2021, not 2020.

**Public Comments**

None

**Board Comments**

Each of the Board members asked questions of Brian Ruscher and Ron Brito which were answered.

William Bennett, Assistant City Attorney, read the six findings.

**MOTION** to approve consideration of a variance request from LDR Section 4.3.4(K) to reduce the front setback by five feet and establish a 25-foot front setback, whereas 30 feet are required, was made by Alexander Candia and seconded by Robert Cohen.

**MOTION CARRIED 4-0**

**B. File Number (2021-078) 1221 Laing St.:** Consideration to Section 4.4.3 of the Land Development Regulations (LDR) establishes the requirements for Single Family Residential (R-1) Districts. LDR Section 4.4.3(F)(1), provides additional development standards for properties subject to the adopted Beach Property Owners Design Manual. The requested variances are to certain requirements of “Section I – District Regulations and Incentives” of the Beach Property Owners Design Manual related to setbacks and maximum lot coverage.

Anthea Gianniotis, Director of Development Services, introduced herself.

**Exparte**

Robert Cohen received a phone call from Chris Davey.

Vlad Dumitrescu had looked in Google Earth.

Garland Williams received a text message from Chris Davey.

Anthea Gianniotis, Director of Development Services, on behalf of Jennifer Buce, Planner, entered the file into the record.

**Applicant Presentation**

Gary Eliopolous, GE Architecture, 1045 E. Atlantic Ave.  
Aleksandra Hayes, GE Architecture 1045 E. Atlantic Ave.  
Max Weinberg, owner

Gary Eliopolous requested a deferment, since it wasn't a full board and it would require a super majority.

Anthea Gianniotis conferred with William Bennett that it's a noticed item and they do have a quorum to continue the item to a date/time certain in order to preserve the notice that's gone out.

**MOTION** to continue to a date/time certain BOA meeting of April 1, 2021 at 5:01 p.m, was made by Robert Cohen and seconded by Vlad Dumitrescu.

**MOTION CARRIED 4-0**

**7. REPORTS AND COMMENTS**

- A. Staff Comments – None
- B. Board Attorney – William Bennett thanked the Board for being there and asked for the Board to check their City emails. Robert Cohen wasn't receiving City emails. Anthea Gianniotis asked Rochelle Sinisgalli to contact the City's IT department.
- C. Board Comments – Garland Williams and Vlad Dumitrescu asked questions which were addressed by Brian Ruscher.

**8. ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 6:29 pm.

The undersigned is the Secretary of the Board of Adjustments and the information provided herein is the Minutes of the meeting of said body for **March 4, 2021** which were formally adopted and APPROVED by the Board on \_\_\_\_\_

---

Rochelle Sinisgalli acting Board Secretary

If the Minutes you have received are not completed as indicated above, then this means that these are not the official Minutes. They will become so after review and approval, which may involve some changes.

*These Minutes are a record of the proceedings of this Board. The full audio and video recording of these proceedings are available.*